

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION

Blue Spike, LLC,

*Plaintiff,*

V.

Texas Instruments, Inc., et al.,

*Defendants.*

CASE NO. 6:12-cv-499 MHS

## LEAD CASE

## Jury Trial Demanded

**DECLARATION OF CHRISTOPHER A. HONEA IN SUPPORT OF PLAINTIFF'S  
REQUEST TO THE CLERK FOR ENTRY OF DEFAULT AS TO NITGEN &  
COMPANY CO., LTD.**

1. I am over twenty-one years of age and am fully competent to make this declaration. All statements and facts set forth in this declaration are true and correct and within my personal knowledge.

2. I am an attorney of record for Plaintiff Blue Spike, L.L.C. (“Plaintiff” or “Blue Spike”) in the above-captioned cause.

3. On February 13, 2013, Nitgen & Company Co., Ltd. (“Nitgen”) was formally served with Blue Spike’s Original Complaint and Summons. *See* Exhibit 1. According to the process server’s affidavit, these documents were served on Nitgen through its registered agent for service of process, the Texas Secretary of State, 1019 Brazos St., Austin, Texas 78701. *Id.* Further, a copy of the process server’s affidavit was filed with the Court on March 3, 2013. *Id.*

4. As of the date of this Declaration, Nitgen has failed to file an Answer or otherwise respond to Blue Spike's Complaint. No attorney has

made an appearance on behalf of Nitgen or otherwise contacted Blue Spike or its attorneys to discuss this proceeding.

5. Nitgen is not an infant (under age 21) or an incompetent person; Nitgen is not in the active military service of the United States of America or its respective officers or agents or was not six months prior to the filing of the case.

6. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

June 24, 2013

/s/ Christopher A. Honea  
Christopher A. Honea